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 12 Life Care Centers of America;
 13 Jeni Terwilliger

14 UNITED STATES DISTRICT COURT

15 SOUTHERN - DISTRICT OF NEVADA

16 ***

17 CHARLES MCGARVEY, heir and Special
 18 Administrator of the Estate of NORENE
 19 MCGARVEY,

20 Plaintiffs,

21 vs.

22 LIFE CARE CENTERS OF AMERICA, INC., a
 23 Tennessee Corporation; JENI
 24 TERWILLIGER, individually and in her
 25 capacity as an administrator; ROES I
 26 through V and ROE CORPORATIONS I
 27 through V, inclusive,

28 Defendants.

CASE NO.:

2:09-cv-01133-BES-LRL

ORDER DENYING PLAINTIFF'S MOTION FOR ATTORNEY FEES

29 This matter having come before the Court on the 6th day of
 30 July, 2010, and the Court having examined the records and
 31 documents on file, and entertained oral argument in the above-

entitled matter and being fully advised in the premises, hereby
finds and Orders as follows:

The Court finds that Defendant had an objective reasonable
basis to file its notice of removal and therefore, the award of
attorney's fees are not warranted.

IT IS HEREBY ORDERED that Plaintiff's Motion for Attorney's
fees is **DENIED**.

DATED this 3 day of August, 2010.


ROBERT C. JONES
UNITED STATES DISTRICT COURT JUDGE

Respectfully Submitted by:

ALVERSON, TAYLOR, MORTENSEN & SANDERS


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LAURA S. LUCERO, ESQ.

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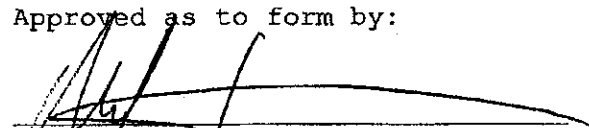
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Approved as to form by:


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